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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,144	01/31/2002	Takao Yonchara	00862.022498	5995
5514	7590	09/20/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			KEBEDE, BROOK	
			ART UNIT	PAPER NUMBER
			2823	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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*10/059,144*

EXAMINER
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*B. KEBEDE*

ART UNIT	PAPER
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*2823*

20050919

DATE MAILED:

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**Commissioner for Patents**

Applicants' response filed on July 1, 2005 to the restriction requirement that was mailed on June 1, 2005 is non-responsive for the following reasons:

Although applicants' election without traverse of Species IV in the response that was filed on July 1, 2005 is acknowledged, applicants' incorporation of claims 8 and 15 as Species IV is incorrect. For instance, claim 8 belongs to Species I and claim 15 belongs to Species II.

Applicants are advised that to reply to the restriction requirement that was mailed on June 1, 2005 by including an identification of the species that is elected consonant with restriction requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a)

Since the above-mentioned response appears to be a bona fide attempt to reply, applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

*Brook Kebede*

Brook Kebede  
Examiner  
Art Unit: 2823